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INTERNAL MIGRATION

From Bihar to Rajasthan, India



INTRODUCTION AND METHODOLOGY

Labor trafficking is a gross violation that affects hundreds of thousands of Indian children each year. The Indian government has developed an elaborate legal and policy apparatus to rescue trafficked children, then reintegrate them into families and communities. Yet these efforts currently fail to protect the rights of vulnerable children or to address the endemic causes of their abuse. This case study focuses on one substantial child trafficking nexus in India: rural children trafficked from the impoverished eastern state of Bihar to the western city of Jaipur, the tourist and production capital of India's largest state, Rajasthan. Although they do not cross national borders, these children on the move are highly vulnerable as a result of their migration. This case outlines several critical failures in prevention and protection, and highlights the need to think holistically about risk and sustainable remedies for the most vulnerable children on the move.

The following analysis examines how well the prevailing model of rescue and reintegration in India works from the standpoint of children on the move and their rights. It is based on several information sources — principally, a field research study carried out by FXB India Suraksha, a registered Indian NGO, between 2014 and 2015. The study involved extensive qualitative interviews with 49 key informants in the states of Bihar, Rajasthan, and New Delhi, including representatives of the Indian National Department of Labour, other federal and state government bodies, Child Welfare Committees (CWCs) in both destination and home states,¹ law enforcement, and national and local NGOs. The results of this field research are then compared with relevant Indian anti-trafficking laws, regulations, and protocols in order to identify gaps between law and implementation. This is complemented by a review of existing academic and gray literature on the rescue and reintegration of trafficked children. These sources were examined to address the following questions: Does the rescue and reintegration model in India work as envisioned? What do failures in the system tell us about the nature of the exploitation of this vulnerable population, and the effective delivery of protec-

tive services? Is this the best model for addressing the trafficking of children for labor exploitation?

While the pervasive issue of trafficking of girls for sexual exploitation and abuse in India has received considerable attention,² trafficking of children for forced labor is also a matter of grave concern. Government statistics indicate that over 126,000 cases of trafficking for child labor were registered during 2011-12. According to the National Crime Records Bureau, a further hundred thousand children go missing in India every year, many of whom are also thought to be trafficked for labor.³ The National Commission for the Protection of Child Rights has estimated that of children who are trafficked, 92 percent have not been rescued, 6 percent have been rescued once, and 2 percent have been rescued twice.⁴ A study by CARE of 85 child laborers rescued in 2008 from workplaces in Mumbai confirmed the prevalence of re-trafficking, finding no systems set up to help reintegrate these children, and that all but 4 out of the 85 returned to work.⁵ Considerable measurement challenges mean that these estimates grossly underreport the extent of the problem.⁶ Authoritative and credible sources estimating the annual numbers of children trafficked for labor, and re-trafficked following “rescue,” are not available.

In 2013, the United Nations Office on Drugs and Crime (“UNODC”) reported an increasing trend in migration and trafficking for labor across India:

A large number of children are migrating from economically backward areas to big cities for work. In many of these cases, children are being trafficked by middle men and agents who are bringing them to the employers in the city by extending meagre advances to the parents and giving false assurances of lucrative jobs etc.⁷

The majority of these children trafficked for labor are boys, set to work in the unorganized sector in industries such as carpet-making, gemstone-mining, jewelry units, *beedi* factories,⁸ brick kilns, *dhabas* (local highway restaurants), and tea stalls. These are often highly exploitative environments, where children work long hours in unhygienic and dangerous conditions. Children are often restricted to the confines of the work places and are highly vulnerable to abuse.

The Indian government has created a complex domestic legal framework for its anti-trafficking efforts.⁹ This includes the Indian Penal Code, 1860 (IPC), the Immoral Trafficking (Prevention) Act of 1956 (ITPA), the Juvenile Justice Act (2000), the Bonded Labor (Abolition) Act of 1976, the Child Labor (Prohibition and Regulation) Act of 1986 and the 2009 Right to Education Act, which provides that all children aged 6 to 14 years must receive free and compulsory education. In May 2016, the Ministry of Women and Child Development (MWCD) released a draft of a new Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill for comments.

In 2006, the Indian Ministry of Home Affairs established the Anti-Human Trafficking Units (AHTUs) to facilitate interagency coordination for the rescue of children and post-rescue care efforts; to monitor interventions and provide feedback; and also to collect and analyze trafficking data.¹⁰ However, until 2008 there were no consolidated guidelines for the rescue and reintegration of children trafficked for labor. That year, the Ministry of Labour and Employment published the Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked and Migrant Child Labour (hereafter “the Protocol”) in order to provide “clearly laid out mechanisms and supporting

instructions, which could be relied upon by various stakeholders for taking all the necessary steps.”¹¹ The Protocol connects existing welfare schemes, such as the National Child Labour Project (NCLP), created in 1988 to “suitably rehabilitate children withdrawn from employment,”¹² the Sarva Shiksha Abhiyan (SSA) or Education for All program, the Scheme for Working Children in Need of Care and Protection, and the Integrated Child Protection Scheme.¹³

Police also inform [employers] before about rescue operation, and they carry away children from there. Recently we got informed about 250 children but we could get only 20 children. Rest have been sent to some other place. —NGO

Survey results show that nonprofits play a vital role in identification of potential victims through tip-offs and verification of information: local police, AHTUs, and Labor Department officials rarely assist in confirming a lead. Government stakeholders also rely heavily on NGOs to execute raids: one non-profit respondent stated that their organization had previously initiated rescue operations without informing local authorities at all.¹⁶ This means that raids are frequently conducted in an ad hoc manner, without accountability or monitoring. Raid teams are often not large enough to cope with the numbers of children in need, and also have inconsistent makeup: doctors and local government officials were reported to take part only sporadically, and only one of 18 NGO respondents stated that a police officer is always present during a raid. Poor organization by the raid team or direct action by the police can often alert employers to a rescue operation.

Survey responses reveal that raids are often carried out in a manner that does not adequately mitigate additional trauma to trafficked children. There are no robust limits on media involvement in rescue operations, which leads to the breach of child confidentiality and additional trauma. Multiple respondents noted that rescue operations can increase the risk of retaliation against children by the employer if the rescue is unsuccessful, as well as against non-profit representatives. Participants stated that operations are hampered by lack of resources, but also, more pressingly, by a lack of advance planning and clear operating guideline.

RESEARCH FINDINGS

Rescue Operations and Immediate Aftermath

UNICEF describes four primary methods for the withdrawal of children from harmful working conditions: rescue, negotiated withdrawal, escape/asylum, and unassisted exit.¹⁴ The Government of India’s policy response to children trafficked for labor focuses exclusively on rescue. The Protocol sets out recommendations for pre-rescue planning and execution; the collection of evidence for prosecution of employers; immediate post-rescue shelter, food and basic care for rescued children; presentation before the CWCs; and initiation of criminal proceedings. While the FXB survey shows that raids are often conducted with reasonable protection and care of the child,¹⁵ too frequently they are poorly planned and executed, leading to inconsistent filing by police of First Information Reports (FIRs) of crimes committed, low rates of prosecution, and inadequate delivery of post-rescue care for children.

Immediately following rescue, children are generally taken to a government shelter, but in some circumstances are taken to the police station, in contravention of the Protocol's guidelines, where respondents report that the "behavior of the police officials in most of the cases is not child friendly." Others have criticized this kind of detention of trafficking

Enforcement agencies are overloaded with work ... there is not a priority to intervene immediately.

— Law Enforcement

victims as unlawful and highly damaging.¹⁷ Survey respondents did not report the AHTUs as involved in any post-rescue care: transport, food, and general care needs fall to NGOs and the Labor Department.

While rescued children are fairly consistently presented before the CWCs for further protection, survey responses show that appropriate criminal action against employers or traffickers is not taken.¹⁸ Essential First Information Reports are not always filed and there is confusion about whose responsibility this is.¹⁹ Respondents stated that criminal prosecution or civil action against offending employers is rarely pursued, contributing to a wide culture of impunity. All but two study participants stated that employers are "rarely" or "never" arrested. Respondents stated it was even less likely that an employer be convicted of a crime. Additionally, rescued children are often not able to make one single statement regarding their trafficking experiences, and are compelled to recount their story for a "counseling report," used for creating a reintegration plan, and also for the criminal case. Strikingly, nearly all participants stated that the unavailability of an interpreter to understand a child's statement impedes the care and transfer plan of children after rescue.

Reintegration

Children who have been rescued from trafficking situations face a huge range of challenges in successfully reintegrating into society. While "reintegration" has no universally accepted definition, it should be understood as a long-term, holistic process. Surtees defines it as:

*A process of recovery and economic and social inclusion ... [which] includes settlement in a stable and safe environment, access to a reasonable standard of living, mental and physical wellbeing, and opportunities for personal, social and economic development, and access to social and emotional support.*²⁰

Existing Indian reintegration strategy focuses on the provision of "educational rehabilitation for the child and economic rehabilitation for the family."²¹ The Protocol requires that the CWCs determine appropriate accommodation for rescued children, tracing their families and thoroughly assessing the suitability of return. It provides that rescued children enter non-formal education in "bridge schools" to help them catch up on missed years before re-joining the formal school system. Pro-

Every agency has its own statement recording process. They take statements separately from the child. In my view this process is not child friendly.

— Government Official

grams for educational reintegration also serve as the principle vehicle for other important reintegration services, such as vocational training and health check-ups.²² Physical and psychological health needs of formerly trafficked children are otherwise not addressed. The Protocol states that the Labour Department must "take necessary action for

obtaining compensation/claim/wage arrears on behalf of the rescued child.”²³ Employers must deposit Rs. 20,000 per rescued child

Because people are not aware [of reintegration plans], they don't have sufficient knowledge about this. The matter passes through table-to-table and somewhere it gets dumped down. — CWC Official

into a special welfare fund, and one adult family member of the rescued child must be provided with employment; failing that, that the State Government

must make an additional contribution of Rs. 5000 to the welfare fund.²⁴

The FXB study demonstrates that these frameworks currently fail to protect children at risk, leaving “rescued” children exposed to the same structural vulnerabilities that led to their being originally exploited, with the predictable outcome that many of them are re-trafficked.²⁵ Relevant stakeholders are unaware of and/or do not implement existing reintegration policy. Participants stated that both short- and long-term reintegration plans for rescued children are “never prepared” or “never implemented.” Survey results also showed that reintegration services are provided to rescued children in an ad hoc, disjointed manner, not guided by any overarching holistic plan for the child’s recovery. Almost all the participants (96 percent) stated that individual cases are closed within four months, with no subsequent follow-up or monitoring of the consequences of return.

We don't have [the] human resources. We don't have proper coordination between different layers of our social structure like district, village or tehsil levels. Those who are living in the districts, have no way to check and verify the child's address.

— CWC Official

Although the Protocol calls for a thorough assessment of the child’s family home to see if it is a safe environment for return, survey results show that such verification happens inconsistently, and thorough home assessments do not happen. This is partly due to the huge geographic and logistical barriers to such assessments: children are often trafficked over 1,500km from their homes. One NGO participant commented that after children “are reintegrated with their families, there is no follow up—nobody takes care of them.” In line with other reports, the FXB study shows that alternative accommodation options to family return, such as foster care or institutional care, are limited, underfunded, and not subject to adequate monitoring and evaluation.²⁶ Additionally, there is no clearly defined responsible party to make arrangements or carry out the transfer of the child back to his/her home state. This responsibility therefore largely falls on non-profits.

Although educational rehabilitation is central to the Indian government’s reintegration strategy, in reality, rescued children are not consistently enrolled in programs and there is no clear responsibility for the child’s educational enrolment. Survey results reveal poor coordination and communication between formal schools and bridge schools, which creates logistical barriers to the transfer of children into the formal system and to the provision of necessary specialized education and health services. Bridge schools also suffer from acute lack of human and financial resources: teaching staff are poorly remunerated and often under-qual-

ified.²⁷ The psychological, emotional, or physical health needs of rescued children are not satisfactorily addressed, either immediately following raids or in the long-term process of recovery. No health services are provided to meet the health needs of the returned children's families.

Study participants were almost uniformly aware that rescued children ought to receive Rs. 20,000 from their previous employer. Yet they acknowledged that, in practice, children rarely receive any compensation at all either from the state or from the employer. Survey results indicate that deficiencies in the government's economic reintegration programs are principally caused by technical and administrative failures, not a lack of resources.

PRINCIPAL CHILD PROTECTION ISSUES

Shortcomings of the rescue and reintegration model

At the macro level, official interventions in India affecting trafficked children are primarily considered a labor issue, not a human rights and child protection issue. Remedial measures focus on removing children from work, returning them to their pre-trafficking context, and criminalizing traffickers and employers. This de-emphasizes child-friendly interventions and ignores the broader welfare needs of children who have undergone traumatic experiences, as well as the structural factors that initially pushed them into exploit-

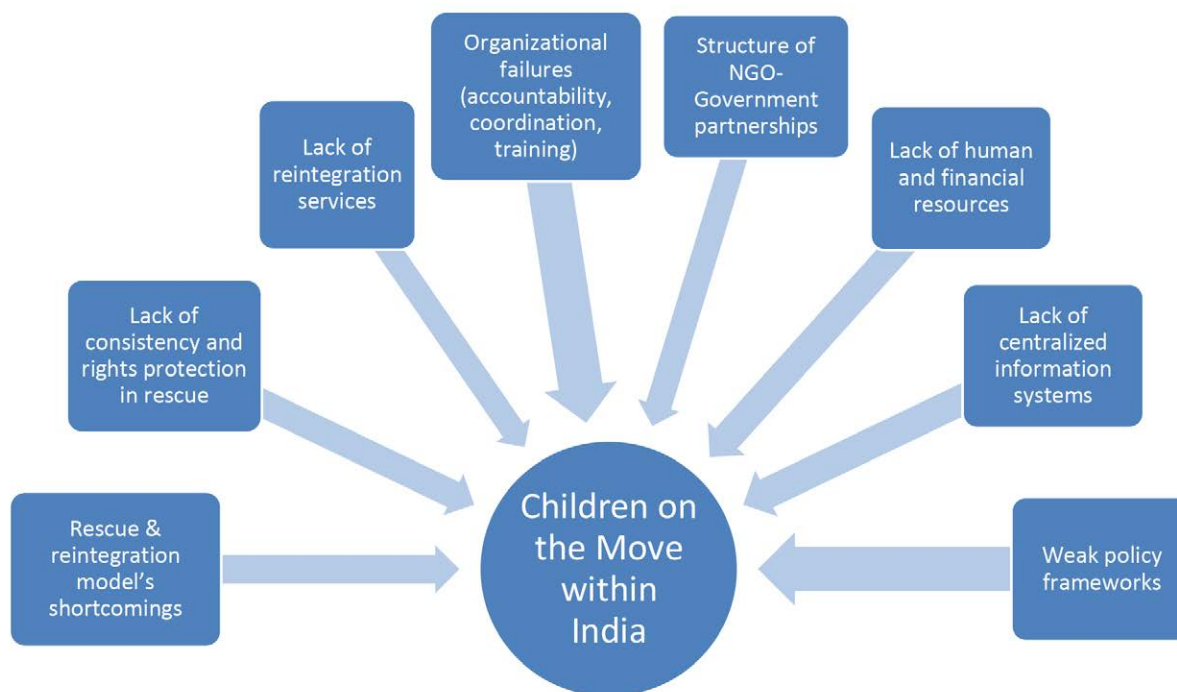
[Children] rarely get financial help, it is given only when the number of children is like 3-4 but in group of children then there is no chance of financial help or compensation. It is believed that child's freedom from labor is itself a compensation.

— NGO

ative migration. As a result, operations to rescue children from exploitative work contexts are carried out in isolation from preventative efforts to address structural determinants of vulnerability, as well as ex post efforts to support the children's long-term recovery within a viable family unit. Yet, as previous analysis has well noted, one cannot be effective without the

other. The raid and reintegration model has been criticized for its "blinkered approach, whereby the context of victims of trafficking, context of socio-economic and political forces that creates vulnerability for victims are ignored."²⁸

A rights-based approach to the trafficking of children for labor exploitation would involve holistic preventative measures targeted at areas of high out-migration and specific at risk populations, as well as a model of rescue and reintegration grounded in these same child welfare considerations. It would ensure that children who are trafficked are never detained and also have a clear voice in decision-making processes. It would emphasize careful and rights-respecting rescue procedures integrated with appropriate transitional services: the provision of health services geared to facilitating the child's recovery from the trauma of exploitation, as well as carefully supervised access to educational opportunity, safe and supportive accommodation, and broad poverty-reduction initiatives. Study results underscore significant potential for increased engagement of familial, village-level, and community stakeholders in reintegration. Issues of caste and class discrimination, of pervasive inequality in access to land, water,



Case Figure 6.1 Key Protection Issues for Children on the Move within India

and other basic resources are critical drivers of child trafficking that are routinely ignored or neglected.

Failure to carry out rescue operations in consistent and rights protective manner

Clear and detailed standard operating protocols for rescue operations are lacking. As a result, there is a failure to allocate precise responsibility and leadership for the planning and execution of raids. Rescue operations are also not supported by centralized intelligence systems, hindering information sharing, with the result that raids are carried out on a reactive basis, based on tip-offs, rather than as the result of proactive investigations.

These deficits contribute to unclear allocations of responsibility; the inappropriate use of police stations as a holding site for rescued children; privacy/protection deficits; inadequacies in shelter settings; and serious communication problems resulting from a failure to address language issues that arise during these operations.

Failure to provide adequate reintegration services

Operations to rescue children from situations of exploitation are currently carried out in isolation from efforts to support their long-term recovery. Yet one cannot be effective without the other. Long- and short-term reintegration

plans for rescued children, which integrate the different necessary services and ensure their provision, are not developed or implemented. Key stakeholders are unaware of existing reintegration policies and individual services are provided in an ad hoc, isolated manner. Rescue and return to a “family” situation is considered sufficient, but this does not address the many complex needs of children who have been trafficked for labor.

Organizational failures

Lack of clear accountability

At the macro level, no one office or individual is responsible for the overarching coordination of this multi-stage and logistically challenging process. In the absence of accountability clearly assigned to implementing departments, and without consistent and effective monitoring of services delivered, government stakeholders routinely evade responsibility, deflecting blame for protection failures to agencies other than their own or to the non-profit sector. Meanwhile, children receive a series of poorly thought-out, disjointed and fragmented services, if they do not fall through the cracks entirely. Although the mandate for ensuring careful rescue and sustained and comprehensive reintegration is technically assigned to the Anti-Human Trafficking Units, survey results clearly demonstrate that they are comprehensively failing to fulfill this mandate. The AHTUs lack clear guidelines, adequate supervision and monitoring, and necessary resources.

Earlier, departments used to say that they have shortage of manpower ... But in last 3 to 4 years, this gap has been filled. In my opinion, labor officers have so many responsibilities but they should be trained ... there should be some orientation programming or something like refresher training program for them.
—Government Official

Lack of interagency coordination

Because there is no established protocol for regular communication between implementing partners, stakeholders do not work together to implement the child’s rescue and reintegration plan in a holistic manner. Stakeholders separated by distance and sometimes language, affiliated with diverse organizations, do not collaborate to keep records of the services that individual children have already received or what their specific immediate and long-term needs are. In 2014, the Ministry of Home Affairs launched an online human trafficking portal to coordinate efforts of state and national government agencies. This has yet to have a significant impact on coordination failures.

Lack of training

Another crucial issue identified by the FXB study is a lack of standardized training programs for implementing partners, that include information about the different responsible partners for service provision, the content of policy requirements, and standards for implementation. As a result, personnel administering services to trafficked children lack a thorough and reliable grasp of relevant policies and regulations, and they frequently fail to take advantage of resources that could be utilized to promote more effective interventions.

Poorly structured NGO-government partnerships

Much of rescue and reintegration is conducted by the non-profit sector, which, though usually a committed and innovative provider of services for trafficked children, is not sufficiently integrated with government entities to provide the level of consistent, transparent or sustainable care needed in the long run. Positive non-profit initiatives are not adequately supported or scaled into state policy. Equally, non-profit initiatives that do not meet acceptable standards for working with vulnerable children are not subject to independent monitoring or evaluation. As one NGO respondent commented, “There are so many NGOs active in this field but they don’t care about proper system developing.” Ultimately, the Indian Constitution places primary responsibility on the State to ensure that children’s needs are met and their human rights fully protected.²⁹

Insufficient human and financial resources

Rescue and reintegration services could undoubtedly benefit from larger and more consistent funding support. This is particularly necessary to support bridge schools, income generation projects for families, health services for families and rescued children, government and non-profit shelters, legal services to secure compensation and effective prosecution of abusive traffickers and employers, and independent monitoring and evaluation of programs. Yet this study encouragingly suggests that inadequate resources are not the principal barrier to effective intervention. Rather, resources are *ineffectively allocated*, with the result that opportunities for protection and sustainable reintegration are squandered. For example, funding to compensate

children and their families post-rescue rarely reaches intended beneficiaries.

Lack of centralized information systems

Stakeholders consistently pointed to the lack of reliable data as a barrier to creating targeted and effective anti-trafficking policy. Failures of information sharing between agencies also impede the creation of long-term, integrated reintegration plans. A central reporting system would reduce confusion by replacing the wide variety of case reporting forms used by police, medical practitioners, and social workers with one centralized system. The Ministry for Women, Children and Development, under the ICPS, is developing a system for child protection data management and reporting, as well as a tool for monitoring the implementation of all its child protection schemes. Stakeholders surveyed did not display knowledge of this new system or its impacts.

Weak policy frameworks

In addition to implementation failures, there are several deficiencies in the wording and structure of Indian policy and legal frameworks. First, there is no detailed set of standard operating procedures for raids. The roles and responsibility of each individual and team are not assigned, undermining strong coordination at the outset between police teams, prosecutors, interpreters, and victim service providers. Additionally, there are no guidelines specifically tailored for rescue carried out while children are in transit, before reaching the site of exploitation. There is no clear elaboration of appropriate shelter locations for rescued children, or of the services to be provided to them during and

immediately after rescue. Finally, there is no clear identification of the agency responsible for accompanying the rescued child back to the state of origin.

Reintegration, on the other hand, is treated as a fixed and short-term process, so the long-term needs of children and their families are not addressed. The potential risks of returning trafficked children to their families are not carefully incorporated into decision-making processes, and standards for appropriate alternative accommodation are not articulated: no monitoring and evaluation mechanisms are required for shelters. There are no guidelines for coordinating “bridge schools” with formal schools. Policies do not adequately address the curricular and teacher training issues that reintegration of trafficked children raise. No financial, emotional, or logistical support is offered to the families of returned children, and the challenge of supporting the family’s economic reintegration is reduced to the provision of lump sum compensation, which may or may not ever reach the family. Little official guidance is offered on how this should be delivered. Finally, the acute health needs of rescued children, both physical and psychological, are acknowledged as an afterthought, without concrete policy initiatives to ensure delivery of suitable services.

CONCLUSION

Recent developments in India underscore the immediate vital importance of concrete policy reform and advocacy on the issue of rescue and reintegration of children trafficked for labor. In May 2015, the Indian union cabinet approved an amendment to the country’s Child Labour Prohibition Act that permits children below the age of 14 to work in select “non-hazardous” family enterprises. This

sanctions work in industries carpet-weaving, *beedi* (cigarette) rolling and gem-polishing,³⁰ significantly weakening protections for trafficked children. In December 2015, the Indian Supreme Court asked the Ministry of Women and Child Development to create a single, nation-wide Organized Crime Investigation Agency (OCIA) to combat trafficking. Work is now underway to establish this agency, which will be primarily concerned with increasing prosecution of traffickers involved in the commercial sexual exploitation of women and girls.³¹ This makes invisible the pervasive issue of labor trafficking of boys, and promotes a criminalizing approach over the holistic child-welfare approach advocated in this analysis.

This case study clearly demonstrates the need for a well-integrated and better overall systemic response to the exploitation of children migrating internally. The current rescue and reintegration model cannot be successful while conducted in isolation of preventative measures that address the root causes of this phenomenon. Equally, meeting the diverse and specialized needs of children trafficked for labor exploitation calls for a coordinated and sustained policy action, supported by adequate, long-term funding. Reintegration services should be grounded in the contextual realities of individual children trafficked for labor and informed by established best practice. Integrating a child-rights approach to rescue and reintegration policy is not only the best thing from the perspective of exploited children, but also the only effective way to tackle this pervasive and urgent social problem in the long term.

ENDNOTES

- 1 Child Welfare Committees are the district-level authorities for the care, protection, treatment, development, and rehabilitation of children in need of care and protection.
- 2 See, for example, Paramita Banerjee, “Where Have All the Flowers Gone? An Evidence-Based Research Into Sex Trafficking of Girls” (Sanjog, 2010); ILO, *The Demand Side of Human Trafficking in Asia: Empirical Findings*. (Bangkok: International Labour Office, 2006); Christine Joffres et al., “Sexual Slavery without Borders: Trafficking for Commercial Sexual Exploitation in India,” *International Journal for Equity in Health* 7 (2008): 22.
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- 4 Shantha Sinha, *National Commission for Protection of Child Rights (NCPCR): The First Six Years* (New Delhi: NCPCR, May 2013), 13.
- 5 CARE and CRY, *Developing a New Perspective on Child Labour*, *supra* note 31, at 3. Additionally, an informal report made to Harvard FXB by the NGO Action Aid during a field visit to Gaya Railway Station in Bihar in Jan 2014, stated that in one case over a third of rescued children had been re-trafficked within three months from their return date.
- 6 National Commission for the Protection of Child Rights (NCPCR), *Right to Education and Total Abolition of Child Labour: Freedom and Dignity for all Children*, Briefing Papers, (NCPCR), 1.
- 7 UNODC, *Current Status of Victim Service Providers and Criminal Justice Actors in India on Anti-Human Trafficking*, 9.
- 8 A *beedi* is a thin, hand-rolled cigarette.
- 9 Internationally, India has ratified the United Nations Convention against Transnational Organised Crime (UNTOC) and its three supplementing Protocols. India is also a signatory to the UN Convention on the Rights of the Child (“CRC”); see the Framing Review for more information.
- 10 As of December 2014 there were AHTUs in 225 of India’s 640 districts. See UNODC, *Current Status of Victim Service Providers and Criminal Justice Actors in India on Anti Human Trafficking*, 29-30; Indian Ministry of Home Affairs, “Launching of Web Portal on Anti Human Trafficking,” Government of India, February 20, 2014.
- 11 Indian Ministry of Labour and Employment, “Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked and Migrant Child Labour,” 2008, 8.
- 12 Ministry of Labour and Employment, Government of India, “National Policy on Child Labour – 1987 (NCLP).”
- 13 In 2011, the government initiated the Grant in Aid (GIA) Scheme that covers 75% of the project costs incurred by NGOs working towards the elimination of the child labor in districts not covered by the NCLP.
- 14 United Nations Children’s Fund (UNICEF), “Rapid Assessment of Existing Practices and Mechanisms Concerning Rescue, Recovery and Reintegration of Child Victims of Trafficking between India and Bangladesh” (New Delhi: UNICEF, 2008).
- 15 See Ministry of Labour and Employment, “Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked and Migrant Child Labour,” 21-25.

- 16 Sanjai Bhatt, *Not Made By Children Project: an impact assessment study* (September 2013), 34.
- 17 Anne T. Gallagher and Elaine Pearson, "Detention of Trafficked Persons in Shelters: A Legal and Policy Analysis" (Rochester, NY: Social Science Research Network, October 20, 2008).
- 18 All but two study participants stated that employers are "rarely" or "never" arrested. Respondents stated it was even less likely that an employer be convicted of a crime.
- 19 12 of 18 NGO respondents and 9 of 10 law enforcement respondents stated that it is the Labor Department's responsibility to file the First Information Report (FIR): only 1 of 8 Labor Department officials thought it was their duty to do so.
- 20 Rebecca Surtees, *Monitoring Anti-Trafficking Re/integration Programs: A Manual* (Washington, DC and Brussels: Nexus Institute, 2010), 24.
- 21 Ministry of Labor and Employment, "Protocol on Prevention, Rescue, Repatriation and Rehabilitation of Trafficked and Migrant Child Labor," 35.
- 22 Anoop K. Satpathy, Helen R. Sekar and Anup K. Karan, *Rehabilitation of Child Labor in India: Lessons Learnt from the Evaluation of NCLPs* (Noida: V.V. Giri National Labor Institute, 2010), 5.
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- 28 Banerjee, "Where Have All the Flowers Gone? An Evidence-Based Research Into Sex Trafficking of Girls," 5.
- 29 Constitution of India, 1950.
- 30 Chetan Chauhan, "Cabinet clears changes to Child Labour Act, those under 14 can work in family businesses," *The Hindu Times*, May 13, 2015, www.hindustantimes.com/india/cabinet-clears-changes-to-child-labour-act-those-under-14-can-work-in-family-businesses/story-mAq75Cld1opnUY0t8RAiOI.html
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